

# HOUSE . . . . . No. 1289

By Mr. LaFontaine of Gardner, petition of Raymond M. LaFontaine for legislation to extend benefits of the workmen's compensation law to certain domestic employees. Commerce and Labor.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT EXTENDING THE BENEFITS OF THE WORKERS' COMPENSATION LAW TO CERTAIN DOMESTIC EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1, subdivision (4) of chapter 152 of the  
2 General Laws is hereby amended by striking out the third para-  
3 graph and inserting in place thereof the following new paragraphs:  
4 The provisions of this chapter, except sections 21 and 22, shall  
5 apply to employers of part-time domestic servants. For the pur-  
6 pose of this chapter, a part-time domestic servant is one who works  
7 in the employ of the employer less than sixteen hours per week.  
8 Notwithstanding any other provisions of this chapter to the  
9 contrary, all part-time domestic servants shall be afforded workers'  
10 compensation benefits as are provided under this chapter unless  
11 the employer has a separate policy of insurance providing such  
12 benefits. The provisions of this section do not apply to independent  
13 contractors. Premium rates and policy forms and endorsements  
14 for this coverage shall be subject to the approval of the commis-  
15 sioner.

1 SECTION 2. Section 54A of Chapter 152 of the General Laws  
2 is hereby amended by striking out the following language in the  
3 first sentence thereof:

4 “and seasonal or casual or part-time domestic servants who  
5 work in the employ of the employer less than sixteen hours a week  
6 for whom insurance under this chapter remains elective.”

1 SECTION 3. Section 99 of Chapter 175 of the General Laws, as  
2 most recently amended, is hereby further amended by adding the  
3 following clause sixteenth:

4 Sixteenth: Notwithstanding any of the other provisions of this  
5 chapter or of chapter 152 of the General Laws, any insurer issuing a  
6 homeowners or tenants policy so-called, shall to the extent of the  
7 coverage required in Chapter 152 of the General Laws, provide and  
8 include in said policy, workers' compensation insurance in this  
9 Commonwealth and shall not be subject to any financial or other  
10 requirements with respect thereto in addition to the requirements  
11 for writing such insurance contracts nor shall they be subject to the  
12 provisions of sections 52 through 65 of chapter 152.